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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/868,159	06/22/2001	Hilmar Niklaus		6149

7590 10/06/2003
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Five Hirsch Avenue
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EXAMINER

MACARTHUR, VICTOR L

ART UNIT	PAPER NUMBER
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3679

DATE MAILED: 10/06/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/868,159

Applicant(s)

NIKLAUS, HILMAR

Examiner

Victor MacArthur

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 11 August 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 36-41 and 48-52 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 36-41 and 48-52 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 11 August 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s). _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 08/11/03 has been entered.

Drawings

The replacement drawing sheet 2 containing fig.2 was received on 8/11/03. These drawings are acceptable.

Claim Objections

Claim 37 and 38 are objected to because of the following informalities:

- The phraseology of claim 37 is unclear as to whether the “first end” is the “one end” or is in addition to the “one end”. The examiner suggests amending as follows: “The detachable connection of two elements according to Claim 36, wherein **said one end is a first end and** said bolt has a second end opposite said one end [, or a first end,] with **said** [a] second end of said bolt being fastened to one element of said two elements.”
- The phraseology of lines 1-4 of claim 38 is unclear as to whether the “first end” is the “one end” or is in addition to the “one end”, furthermore it is unclear what

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element the pronoun "its" refers to. The examiner suggests amending as follows:

"The detachable connection of two elements according to claim 36, wherein said one end is a first end and said bolt has a second end opposite said first end [one end, or a first end,] with said bolt being fixed at said [its] second end of said bolt via an".

Appropriate correction is required. For purposes of examining the instant invention, the examiner has assumed these corrections have been made.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 36-41 and 48-52 are rejected under 35 U.S.C. 102(b) as being anticipated by Henriott U.S. Patent 5810505.

Claim 36. Henriott discloses (figs. 1, 7 and 11) a detachable connection of two elements, comprising: a bolt (22); two elements (left 48, right 48) detachably connected to one another via the bolt; a tensioning body (left 54) having an azimuthally extending slot (62) through which the bolt is penetratable (but does not necessarily penetrate) for fixing the bolt at one end (left end) to one element of the two elements, the tensioning body being rotatable relative to the one element about an axis extending substantially perpendicular to the bolt with the tensioning body being connected in any rotational position relative to the bolt; and, means (left 46) for fastening

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the bolt to the tensioning body, the means for fastening being **rotatable** (but not necessarily rotated) about an axis that is distanced from a **substantially** (but not exactly) central axis of the tensioning body and substantially parallel thereto, the means for fastening including a retaining head (left 38, right 38) detachably attached to the bolt and being **rotatable** (but not necessarily rotated) relative to the tensioning body.

Claim 37. Henriott discloses that the one end is a first end and the bolt has a second end (right end of 22) opposite the one end, with the second end of the bolt being fastened to one element (right 48) of the two elements.

Claim 38. Henriott discloses that one end is a first end and the bolt has a second end (right end of 22) opposite the one end with the bolt being fixed at its second end via an additional tensioning body (right 54) to a second element (right 48) of the two elements, the additional tensioning body being rotatable relative to the second element about an axis extending substantially perpendicular to the bolt, and further comprising additional means (right 46) for fastening the additional tensioning body to the bolt, the additional means for fastening being **rotatable** (but not necessarily rotated) about an axis distanced from an axis of the additional tensioning body and substantially parallel thereto, the additional tensioning body being connected in any rotational position relative to the bolt.

Claim 39. Henriott discloses that the bolt penetrates at least one of the two elements.

Claim 40. Henriott discloses that the tensioning body (left 54) is accommodated in the one element (left 48) of the two elements connecting the tensioning body.

Claim 41. Henriott discloses that the retaining head is detachably connected to the tensioning body.

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Claim 48. Henriott discloses that the tensioning body is of a **substantially** (but not completely) cylindrical shape.

Claim 49. Henriott discloses that the retaining head is of a substantially cylindrical shape (in that its external surface is cylindrical).

Claim 50. Henriott discloses that the one element of the two elements is open on an axial end face (face containing 50).

Claim 51. Henriott discloses that a cavity (50) of the tensioning body is open on an axial end face.

Claim 52. Henriott discloses that the one element of the two elements is closed on an axial end face (face opposite of the face containing 50).

Response to Arguments

Applicant's arguments with respect to the claims have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Victor MacArthur whose telephone number is (703) 305-5701. The examiner can normally be reached on 8:30am - 5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Lynne Browne can be reached on (703) 308-1159. The fax phone numbers for the

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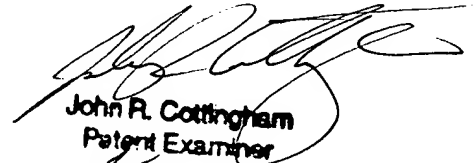
organization where this application or proceeding is assigned are (703) 872-9326 for regular communications and (703) 872-9327 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-1113.

VLM

VLM

September 8, 2003



John R. Cottingham
Patent Examiner

Lynne H. Browne
Supervisory Patent Examiner
Technology Center 3600